

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Norfolk Division

UNITED STATES OF AMERICA	)	CRIMINAL NO.
)	
v.	)	UNDER SEAL
)	
DEZMEND RASHAWN DOWEARY,	)	21 U.S.C. § 846
a/k/a "Hit,"	)	Conspiracy to Distribute and
(Count 1)	)	Possess with Intent to Distribute One
	)	Kilogram or More of Heroin
LARRY KASIEM DOWEARY,	)	(Count 1)
a/k/a "Dot,")	
(Counts 1, 5, 6, 9)	)	21 U.S.C. § 841(a)(1)
	)	Distribution of Heroin
JOHNNY ALVIN HALL,	)	(Counts 2, 3, 5, 6, 7, 8, 9)
a/k/a "J.B.,")	
(Counts 1, 4)	)	21 U.S.C. § 841(a)(1)
	)	Possession of Heroin with Intent to
RICKY SAMUEL JOHNSON,	)	Distribute
a/k/a "Rap,"	)	(Count 4)
(Counts 1, 7, 8))	
	)	18 U.S.C. § 924(c)(1)
JASON LANDIS LINDER,	)	Using, Carrying and Possessing Firearms
a/k/a "Black,"	)	During and in Relation to, and in
a/k/a Rodney Peterson,	)	Furtherance of, Drug Trafficking Crimes
(Count 1)	)	(Count 10)
)	
NASIR MUBIN,	)	21 U.S.C. § 853
a/k/a "Naz,"	)	Criminal Forfeiture
a/k/a Stephen Michael		
Jackson,		
(Count 1)		
JEFFREY TARRATS,		
a/k/a "Skip,"		
a/k/a "Ozzy,"		
(Counts 1, 2, 3, 10)		
MELVIN WYLIE,		
a/k/a "Pils,"		
(Count 1)		

Defendants.

INDICTMENT

February 2004 Term - at Norfolk, Virginia

COUNT ONE

THE GRAND JURY CHARGES THAT:

From in or about 1999, the exact date to the grand jury being unknown, up to and continuing to the date of this indictment, in the Eastern District of Virginia and elsewhere, defendants DEZMEND RASHAWN DOWEARY, a/k/a "Hit," LARRY KASIEM DOWEARY, a/k/a "Dot," JOHNNY ALVIN HALL, a/k/a "J.B.," RICKY SAMUEL JOHNSON, a/k/a "Rap," JASON LANDIS LINDER, a/k/a "Black," a/k/a Rodney Peterson, NASIR MUBIN, a/k/a "Naz," a/k/a Stephen Michael Jackson, JEFFREY TARRATS, a/k/a "Skip," a/k/a "Ozzy," and MELVIN WYLIE, a/k/a "Pils," did unlawfully, knowingly and intentionally combine, conspire, confederate and agree together with each other, and with other persons both known and unknown to the grand jury to commit the following offenses against the United States:

1. To knowingly, intentionally and unlawfully possess with the intent to distribute one (1) kilogram or more of a mixture and substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A);

2. To knowingly, intentionally and unlawfully distribute one (1) kilogram or more of a mixture and substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A).

WAYS, MANNER AND MEANS TO ACCOMPLISH THE CONSPIRACY

The ways, manner and means by which this conspiracy was carried out included, but were not limited to, the following:

1. It was a part of the conspiracy that the defendants and co-conspirators would and did at various times throughout the conspiracy transport, facilitate the transportation of, and deliver heroin, for the purpose of distribution to the ultimate user.

2. It was further a part of the conspiracy that the defendants and co-conspirators would and did distribute and possess with the intent to distribute heroin to redistributors and users in the Cities of Chesapeake, Newport News, Norfolk, and Virginia Beach in the Eastern District of Virginia, and in other areas of the Eastern District of Virginia and elsewhere. The heroin distributed by the defendants and co-conspirators was in both uncut 'raw' form and packaged in capsules.

3. It was further a part of the conspiracy that the defendants and co-conspirators would and did use residences and vehicles, to store, possess with intent to distribute and distribute heroin and to store money and other proceeds derived from the distribution of heroin.

4. It was further a part of the conspiracy that the defendants and co-conspirators would and did meet at various times and places to package heroin, using paraphernalia, to deliver packages of heroin, and to receive the proceeds from the sales of heroin.

5. It was further a part of the conspiracy that the defendants and co-conspirators would and did perform certain duties and have certain responsibilities and roles in the conspiracy, some of which were interchangeable at various times throughout the conspiracy. Some of the roles which the defendants and co-conspirators assumed and

carried out include, among others: money courier, organizer, manager, runner/distributor, packager, drug courier and driver.

6. It was further a part of the conspiracy that the defendants and co-conspirators would and did derive income from the distribution of heroin, and would and did spend the money earned from the sale of heroin in various ways which furthered and promoted the conspiracy. On approximately one hundred occasions, the defendants and co-conspirators wired sums of money to each other and to other persons for the purpose of facilitating the purchase of heroin and to promote the continued operation and success of the conspiracy.

7. It was further a part of the conspiracy that the defendants and co-conspirators would and did use residences and vehicles to store, possess and have firearms available for their use, to protect, to further and to promote the conspiracy.

8. It was further a part of the conspiracy that the defendants and co-conspirators carried firearms on their persons, in their vehicles, and other places, to engage in or to be ready to engage in acts of violence, in order to protect members of the conspiracy and others, which served to protect the activities of the defendants and co-conspirators and to promote the continued success of the conspiracy.

9. It was further a part of the conspiracy that the defendants and co-conspirators would and did use various methods, which included, but were not limited to, using telephones, cellular telephones and electronic pagers, and using fictitious names, aliases and identities, all in an effort to promote the conspiracy, to conceal the conspiracy, and to insure the continued success of the conspiracy.

10. It was further part of the conspiracy that defendants and co-conspirators would travel to New York to take delivery of shipments of heroin and transport the heroin

back to the Tidewater area. The defendants and co-conspirators used motor vehicles some of which were equipped with hidden compartments and individual couriers who stored quantities of heroin inside their bodies.

11. It was further a part of the conspiracy that the defendants and co-conspirators would and did traffic in stolen merchandise including: clothing, computers, video game systems, and cookware in various ways which furthered and promoted the conspiracy.

OVERT ACTS

In furtherance of the conspiracy, and to accomplish the objects of the conspiracy, the following overt acts, among others, were committed in the Eastern District of Virginia and elsewhere:

1. On or about February 3, 2000, in Norfolk, Virginia, a co-conspirator wired \$500 to MELVIN WYLIE in Bronx, New York, for heroin for further distribution.

2. On or about February 7, 2000, in Norfolk, Virginia, a co-conspirator wired \$800 to MELVIN WYLIE in Bronx, New York, for heroin for further distribution.

3. On or about February 17, 2000, in Norfolk, Virginia, a co-conspirator wired \$600 to MELVIN WYLIE in Bronx, New York, for heroin for further distribution.

4. On or about February 23, 2000, in Norfolk, Virginia, a co-conspirator wired \$500 to MELVIN WYLIE in Bronx, New York, for heroin for further distribution.

5. In or about the Spring of 2000, MELVIN WYLIE and a co-conspirator traveled from Norfolk, Virginia, to Myrtle Beach, South Carolina, to take receipt of approximately \$20,000 cash from another co-conspirator.

6. In or about the Spring of 2000, MELVIN WYLIE and a co-conspirator traveled from Norfolk, Virginia, to Myrtle Beach, South Carolina, to take receipt of approximately

\$8,000 cash from another co-conspirator.

7. On or about May 3, 2000, in Virginia Beach, Virginia, MELVIN WYLIE wired \$500 to a co-conspirator in Myrtle Beach, South Carolina, for heroin for further distribution.

8. On or about May 21, 2000, in Norfolk, Virginia, MELVIN WYLIE wired \$500 to a co-conspirator in Bronx, New York, for heroin for further distribution.

9. In or about the Summer of 2000, in Norfolk, Virginia, JEFFREY TARRATS distributed approximately 1 ounce of heroin to a co-conspirator for further distribution.

10. In or about the Summer of 2000, in Norfolk, Virginia, JEFFREY TARRATS and MELVIN WYLIE distributed approximately 2 ounces of heroin to a co-conspirator for further distribution.

11. In or about the Summer of 2000, in Norfolk, Virginia, JEFFREY TARRATS distributed approximately 2 ounces of heroin to a co-conspirator for further distribution.

12. In or about the Summer of 2000, in Norfolk, Virginia, JASON LANDIS LINDER, JEFFREY TARRATS and MELVIN WYLIE distributed approximately 105 grams of heroin to a co-conspirator for further distribution.

13. In or about the Fall of 2000, in Norfolk, Virginia, a co-conspirator gave JEFFREY TARRATS approximately \$15,000 to take to New York City to purchase heroin.

14. In or about the Fall of 2000, JASON LANDIS LINDER, JEFFREY TARRATS and MELVIN WYLIE transported approximately 1 kilogram of heroin from New York City to Norfolk, Virginia, for further distribution.

15. In or about the Fall of 2000, in Norfolk, Virginia, JASON LANDIS LINDER, JEFFREY TARRATS and MELVIN WYLIE distributed approximately 140 grams of heroin to a co-conspirator for further distribution.

16. In or about the Fall of 2000, JASON LANDIS LINDER, JEFFREY TARRATS, MELVIN WYLIE and a co-conspirator transported approximately \$10,000 cash to New York City and purchased approximately 115 grams of heroin for further distribution in the Norfolk, Virginia, area.

17. On or about January 30, 2001, in Accomack County, Virginia, a co-conspirator, accompanied by JASON LANDIS LINDER and JEFFREY TARRATS, possessed approximately 80.7 grams of heroin with the intent to distribute.

18. On or about July 2, 2001, in Norfolk, Virginia, a co-conspirator wired \$2200 to JEFFREY TARRATS in Bronx, New York, for heroin for further distribution.

19. On or about July 8, 2001, in Norfolk, Virginia, a co-conspirator wired \$2600 to JEFFREY TARRATS in Bronx, New York, for heroin for further distribution.

20. On or about August 1, 2001, in Bronx, New York, a co-conspirator wired \$500 to MELVIN WYLIE in Norfolk, Virginia, for heroin for further distribution.

21. On or about August 6, 2001, in Norfolk, Virginia, a co-conspirator possessed approximately 13 grams of heroin with the intent to distribute, cocaine, marijuana, a digital scale and \$850 in cash.

22. In or about October 2001, in Norfolk, Virginia, JASON LANDIS LINDER and DEZMEND RASHAWN DOWEARY distributed 3000 capsules of heroin to an unindicted co-conspirator for further distribution.

23. In or about November 2001, JASON LANDIS LINDER possessed approximately 5½ ounces of uncut "raw" heroin and a large amount of United States currency.

24. On or about February 21, 2002, in Norfolk, Virginia, MELVIN WYLIE

possessed approximately 2.231 grams of heroin with the intent to distribute.

25. On or about April 25, 2002, in Norfolk, Virginia, a co-conspirator possessed with the intent to distribute heroin previously obtained from JASON LANDIS LINDER and DEZMEND RASHAWN DOWEARY.

26. In or about May 2002, in Norfolk, Virginia, JASON LANDIS LINDER and DEZMEND RASHAWN DOWEARY distributed 4 ounces of uncut "raw" heroin to a co-conspirator for further distribution.

27. In or about May 2002, in Norfolk, Virginia, DEZMEND RASHAWN DOWEARY distributed 300 capsules of heroin to a co-conspirator for further distribution.

28. In or about May 2002, in Norfolk, Virginia, JOHNNY ALVIN HALL distributed 2 ounces of heroin to a co-conspirator for further distribution.

29. On or about September 18, 2002, in Virginia Beach, Virginia, NASIR MUBIN possessed approximately 100 capsules of heroin with the intent to distribute, heroin processing materials, MDMA (ecstasy) and a .380 caliber semi-automatic handgun.

30. On or about October 11, 2002, in Norfolk, Virginia, a co-conspirator possessed with the intent to distribute approximately 83 capsules containing heroin previously obtained from JOHNNY ALVIN HALL.

31. On or about October 16, 2002, in Norfolk, Virginia, a co-conspirator possessed a quantity of heroin.

32. On or about October 25, 2002, a co-conspirator possessed with the intent to distribute approximately 37 capsules containing approximately 2.51 grams of heroin previously obtained from JEFFREY TARRATS and \$896 in cash.

33. On or about December 11, 2002, in Virginia Beach, Virginia, a co-conspirator

wired \$460 to JEFFREY TARRATS in Bronx, New York, for heroin for further distribution.

34. On or about January 25, 2003, in Virginia Beach, Virginia, JEFFREY TARRATS distributed approximately 17 grams of heroin to a co-conspirator for further distribution.

35. On or about January 27, 2003, in Norfolk, Virginia, JEFFREY TARRATS received \$2500 from a co-conspirator to satisfy a debt for heroin.

36. On or about March 4, 2003, in Norfolk, Virginia, JEFFREY TARRATS distributed approximately 36.9 grams of heroin to a co-conspirator.

37. On or about March 4, 2003, in Norfolk, Virginia, JEFFREY TARRATS was paid \$3500 cash by a co-conspirator for heroin.

38. On or about March 8, 2003, in Virginia Beach, Virginia, two co-conspirators possessed approximately 21 grams of heroin with the intent to distribute.

39. On or about March 10, 2003, in Norfolk, Virginia, a co-conspirator caused \$6200 to be delivered to JEFFREY TARRATS in Bronx, New York, for the purchase of heroin for distribution.

40. On or about March 25, 2003, in Wilson County, North Carolina, two co-conspirators possessed approximately 22 grams of heroin with the intent to distribute and approximately \$3,157 in cash.

41. On or about April 5, 2003, in Virginia Beach, Virginia, two co-conspirators distributed a quantity of heroin.

42. On or about April 9, 2003, in Virginia Beach, Virginia, a co-conspirator distributed a quantity of heroin.

43. On or about April 12, 2003, in Norfolk, Virginia, LARRY KASIEM DOWEARY

and two co-conspirators possessed marijuana with the intent to distribute, three digital scales including one with heroin residue, packaging materials, a quantity of Mannite, a substance commonly used to 'cut' heroin, a bag of syringes and \$626 in cash.

44. On or about April 23, 2003, at Northampton County, Virginia, JOHNNY ALVIN HALL and two co-conspirators possessed approximately 156.6 grams of heroin with the intent to distribute.

45. On or about May 2, 2003, at Virginia Beach, Virginia, a co-conspirator possessed approximately 6.23 grams of heroin with the intent to distribute.

46. On or about May 15, 2003, at Virginia Beach, Virginia, two co-conspirators possessed approximately 2 grams of heroin with the intent to distribute, a digital scale and United States currency.

47. On or about June 18, 2003, at Virginia Beach, Virginia, a co-conspirator distributed approximately 4 grams of heroin.

48. On or about June 30, 2003, in Virginia Beach, Virginia, LARRY KASIEM DOWEARY wired funds to JEFFREY TARRATS in Bronx, New York, for heroin for redistribution.

49. On or about July 16, 2003, in Norfolk, Virginia, JASON LANDIS LINDER wired funds to DEZMEND RASHAWN DOWEARY in Bronx, New York, for heroin for redistribution.

50. On or about July 17, 2003, in Virginia Beach, Virginia, RICKY SAMUEL JOHNSON wired funds to DEZMEND RASHAWN DOWEARY in New York, New York, for heroin for redistribution.

51. On or about August 1, 2003, at Virginia Beach, Virginia, two co-conspirators

distributed approximately 5.24 grams of heroin.

52. On or about August 1, 2003, at Virginia Beach, Virginia, a co-conspirator possessed a semi-automatic handgun while distributing heroin.

53. On or about August 7, 2003, in Virginia Beach, Virginia, a co-conspirator possessed a quantity of heroin.

54. On or about August 7, 2003, in Virginia Beach, Virginia, LARRY KASIEM DOWEARY distributed a quantity of heroin.

55. On or about August 9, 2003, in Virginia Beach, Virginia, LARRY KASIEM DOWEARY distributed a quantity of heroin.

56. On or about August 14, 2003, in Virginia Beach, Virginia, RICKY SAMUEL JOHNSON distributed a quantity of heroin.

57. On or about August 16, 2003, in Virginia Beach, Virginia, RICKY SAMUEL JOHNSON distributed a quantity of heroin.

58. On or about August 21, 2003, at Virginia Beach, Virginia, two co-conspirators distributed approximately 3 grams of heroin.

59. On or about August 27, 2003, in Virginia Beach, Virginia, LARRY KASIEM DOWEARY distributed a quantity of heroin.

60. On or about September 5, 2003, at Virginia Beach, Virginia, LARRY KASIEM DOWEARY, RICKY SAMUEL JOHNSON and a co-conspirator possessed quantities of heroin, cocaine and marijuana.

(All in violation of Title 21, United States Code, Section 846).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 25, 2003, at Virginia Beach, in the Eastern District of Virginia, JEFFREY TARRATS did unlawfully, knowingly, and intentionally distribute approximately 17 grams of a mixture and substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and Title 18, United States Code, Section 2).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 4, 2003, at Norfolk, in the Eastern District of Virginia, JEFFREY TARRATS did unlawfully, knowingly, and intentionally distribute approximately 36.9 grams of a mixture and substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and Title 18, United States Code, Section 2).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 23, 2003, at Northampton County, in the Eastern District of Virginia, JOHNNY ALVIN HALL did unlawfully, knowingly, and intentionally possess with the intent to distribute approximately 156.6 grams of a mixture and substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(B) and Title 18, United States Code, Section 2).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 7, 2003, at Virginia Beach, in the Eastern District of Virginia, LARRY KASIEM DOWEARY did unlawfully, knowingly, and intentionally distribute a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and Title 18, United States Code, Section 2).

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 9, 2003, at Virginia Beach, in the Eastern District of Virginia, LARRY KASIEM DOWEARY did unlawfully, knowingly, and intentionally distribute a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and Title 18, United States Code, Section 2).

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 14, 2003, at Virginia Beach, in the Eastern District of Virginia, RICKY SAMUEL JOHNSON did unlawfully, knowingly, and intentionally distribute a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and Title 18, United States Code, Section 2).

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 16, 2003, at Virginia Beach, in the Eastern District of Virginia, RICKY SAMUEL JOHNSON did unlawfully, knowingly, and intentionally distribute a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and Title 18, United States Code, Section 2).

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 27, 2003, at Virginia Beach, in the Eastern District of Virginia, LARRY KASIEM DOWEARY did unlawfully, knowingly, and intentionally distribute a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and Title 18, United States Code, Section 2).

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

From in or about 1999, up to and continuing to the date of this indictment, in the Eastern District of Virginia, JEFFREY TARRATS, did knowingly and unlawfully use and carry one or more firearms during and in relation to a felony drug trafficking crime punishable under the Controlled Substances Act and did possess such firearms in furtherance of said felony drug trafficking crime punishable under the Controlled Substances Act .

(In violation of Title 18, United States Code, Sections 924(c)(1) and (2)).

CRIMINAL FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

A. The defendants, DEZMEND RASHAWN DOWEARY, a/k/a “Hit,” LARRY KASIEM DOWEARY, a/k/a “Dot,” JOHNNY ALVIN HALL, a/k/a “J.B.,” RICKY SAMUEL JOHNSON, a/k/a “Rap,” JASON LANDIS LINDER, a/k/a “Black,” a/k/a Rodney Peterson, NASIR MUBIN, a/k/a “Naz,” a/k/a Stephen Michael Jackson, JEFFREY TARRATS, a/k/a “Skip,” a/k/a “Ozzy,” and MELVIN WYLIE, a/k/a “Pils,” if convicted of any one of the violations alleged in Counts One through Nine of this Indictment, shall forfeit to the United States:

1. Any and all property constituting, or derived from, any proceeds the defendants obtained, directly or indirectly, as the result of such violations; and

2. Any of the defendants’ property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such violations.

(All in violation of Title 21, United States Code, Section 853).

B. The property subject to forfeiture includes but is not limited to the following: the sum of \$2,000,000 equal to the approximate gross proceeds involved in the drug offenses.

C. If any property that is subject to forfeiture above, (a) cannot be located upon the exercise of due diligence, (b) has been transferred to, sold to, or deposited with a third person, (c) has been placed beyond the jurisdiction of the Court, (d) has been substantially diminished in value, or (e) has been commingled with other property that cannot be subdivided without difficulty; it is the intent of the United States to seek forfeiture of any other property of the defendants, up to the value described above, as subject to forfeiture

under Title 21, United States Code, Section 853p.

A TRUE BILL:

FOREPERSON

PAUL J. McNULTY
UNITED STATES ATTORNEY

By:

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